



# STATE OF CONNECTICUT

OFFICE OF PROTECTION AND ADVOCACY FOR  
PERSONS WITH DISABILITIES  
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Testimony of the Office of Protection and Advocacy for Persons with Disabilities  
Before the Government Administration and Elections Committee

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Good Afternoon, Senator Slossberg, Representative Caruso and members of the Committee. Thank you for the opportunity to comment on **Raised Bill 7258, An Act Concerning Voters with a Disability**. The Office of Protection and Advocacy for Persons with Disabilities (OPA) supports the majority of the concepts in this bill and has been working with the Registrars of Voters Association of Connecticut (ROVAC) on alternative language that improves voting processes and procedures while providing equal opportunity for voters with disabilities.

Representatives of ROVAC, OPA and the Office of the Secretary of the State met to discuss concerns about the language and content of the bill. Attached to my testimony is a memo from ROVAC that suggests changes to Raised Bill 7258 resulting from our meeting. OPA supports the bill and ROVAC's proposed changes with the following comments.

Raised Bill 7258 clarifies voter registration and voting processes for persons with disabilities. It broadens the scope of applicants who may request an accommodation from persons with permanent physical disabilities to any applicant with a disability who cannot register by mail or in person. This reflects and reinforces the obligation of state and local governments to accommodate people with all types of disabilities as required under Title II of the Americans with Disabilities Act.

Obsolete Application Form - Connecticut General Statutes §9-31b creates a form for an Application of Permanently Physically Disabled Person for Admission as an Elector. Applicants with disabilities should not be required to complete a different voter registration application because of disability. OPA, ROVAC and the representatives of the Office of the Secretary of the State agreed that this section is obsolete and that all voters should complete the same registration forms. Raised Bill 7258 and the attached memo from ROVAC do not reflect this change. OPA respectfully requests that the GAE Committee consider including the deletion of §9-31b in any amendments to RB 7258.

Alternative Formats - Title II of the Americans with Disabilities Act requires state and local governments to provide effective communication for persons with disabilities through the provision of materials in alternative formats. Current Connecticut legislation requires the Registrar of Voters to provide applicants with disabilities certain statements and forms in

alternative formats including Braille, large print, audio and video. Raised Bill 7258 substitutes new language that does not include providing voter materials in alternative for applicants or voters with disabilities. The suggested language submitted by ROVAC adds this requirement as the last sentence of §9-31a(a). OPA supports the concept of the suggested language but would like to continue to work with the ROVAC to strengthen the term “shall seek to comply” with language that requires a more affirmative obligation to provide alternative formats. In addition, the suggested language addresses alternative formats for both applicants and electors but is included in a section that addresses procedures for voter registration applicants with disabilities. OPA requests that the language become its own Section or be moved to a more appropriate section of the General Statutes. Again, we would be happy to work with ROVAC and the Secretary of the State on these changes.

Requiring Name of Person Assisting Voter with Disabilities - Conn. Gen. Stat. §9-31d allows voters with disabilities who need assistance to vote, the right to be given assistance by a person of the voter’s choice with certain exceptions. In addition to adding “a Candidate on the Ballot” to this list of exceptions, Raised Bill 7258 would require the person providing assistance to give his or her name to the Registrar of Voters. The bill, however, does not address the consequence for refusal to provide the name and could result in disenfranchising voters with disabilities who already experience other barriers in the voting process. OPA expressed these concerns during its discussions with ROVAC and supports the suggested language in ROVAC’s memo to the Committee. The new language will allow Registrars of Voters to request the name of the person providing assistance but will not deny the elector the right to vote if there is refusal to provide the name.

Curbside Voting – OPA does not support curbside voting for people with disabilities unless it is available to all voters. The Americans with Disabilities Act, Help America Vote Act and Voting Accessibility for the Elderly and Handicapped Act of 1984 require polling places to be physically and programmatically accessible to voters with disabilities. The accessibility of Connecticut polling places has improved as Registrars work with the disability community to assess each polling place and make changes. Not all polling places, however, meet accessibility standards and curbside voting could potentially be used as an alternative to making a polling place accessible. Raised Bill 7258 creates curbside voting only for people with disabilities. It also includes language that would single out electors who use curbside voting by placing a red CSV next to the elector’s name on the official check list.

OPA and ROVAC extensively discussed the concept of curbside voting including OPA’s objections and ROVAC’s reasons for it. The parties agreed that ROVAC requested the language as a solution to temporary incapacity of any voter on Election Day and not as a method of accommodating voters with disabilities only. We are working with representatives of ROVAC and the Office of the Secretary of the State to move the language to a more appropriate section of the election statutes and to develop alternative language that meets the needs of the Registrars. The memo submitted by the Registrars also reflects these requested changes.

Again, thank you for the opportunity to comment on Raised Bill 7528, An Act Concerning Voters with a Disability. I would be happy to answer any questions.

**AN ACT CONCERNING VOTERS WITH A DISABILITY  
RAISED BILL No. 7258**

**Suggested new language presented by ROVAC based on agreement reached with the Office of Protection and Advocacy on the following language:**

**Section 1 of the bill be deleted in its entirety and substituted with:**

**Delete all of Sec. 9-31a(a), Sec. 9-31a(b), Sec.9-31a(c)**

**Substitute new language:**

**9-31a (a) Any elector with a disability who cannot register by mail or in person at the office of the registrar of voters , may request of the registrars of voters that an election official be sent to the person's residence to assist the applicant with the application to register to vote. The registrars of voters shall act promptly on any such request. If election related materials in alternative formats are requested by voter registration applicants with disabilities or electors with disabilities, the registrars of voters shall seek to comply and provide such materials.**

**9-31a (b) In the case of any person with a disability whose qualifications as to age, citizenship, or residence in such town are attained after the last session for admission of electors prior to an election to be held in the town, the person shall be admitted by either registrar of voters not later than five o'clock p.m.on the last weekday before the election. An admitting official shall meet with the applicant at the temporary or permanent residence of the applicant at such time of admission.**

**9-31a (c) Any person who makes application for registration pursuant to the provisions of this section shall be entitled to the privileges of an elector and party enrollment, if applicable, from the time such application for admission as an elector is approved by the registrars of voters.**

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**Section 2. of the bill - Section 9-264 delete lines 75 after the word "ballot" through lines 79 ending with the word "voting" and substitute with:**

**The registrars of voters or the assistant registrars of voters, as the case may be, shall request the name of the person providing assistance. If the elector refuses to provide the name of the person providing assistance, such refusal shall be recorded but shall not deny the elector the right to vote.**

**Delete Sec. 2 (b) of the bill – since this is describing not a disability problem, but rather a temporary incapacity, we are asking that similar language be added to another statute in another bill.**